

ASSEMBLY BILL

No. 871

Introduced by Assembly Member Strickland

February 20, 2003

An act to amend Section 21100 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 871, as introduced, Strickland. Vehicles: traffic regulation.

Existing law authorizes local authorities to adopt rules and regulations by ordinance or resolution regarding specified matters relating to traffic safety and control.

This bill would make technical, nonsubstantive changes to that law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21100 of the Vehicle Code is amended
- 2 to read:
- 3 21100. Local authorities may adopt rules and regulations by
- 4 ordinance or resolution regarding the following matters:
- 5 (a) Regulating or prohibiting processions or assemblages on
- 6 the highways.
- 7 (b) Licensing and regulating the operation of vehicles for hire
- 8 and drivers of passenger vehicles for hire.
- 9 (c) Regulating traffic by means of traffic officers.
- 10 (d) Regulating traffic by means of official traffic control
- 11 devices meeting the requirements of Section 21400.

1 (e) Regulating traffic by means of ~~any~~ a person given
2 temporary or permanent appointment for ~~such~~ the duty by the local
3 authority whenever official traffic control devices are disabled or
4 otherwise inoperable, at the scenes of accidents or disasters, or at
5 ~~such~~ other locations ~~as that~~ may require traffic direction for
6 orderly traffic flow.

7 ~~No~~

8 A person ~~shall, however,~~ *may not* be appointed pursuant to this
9 subdivision unless and until the local authority has submitted to the
10 commissioner or to the chief law enforcement officer exercising
11 jurisdiction in the enforcement of traffic laws within the area in
12 which ~~such~~ the person is to perform ~~such~~ the duty, for review, a
13 proposed program of instruction for the training of a person for
14 ~~such~~ the duty, and unless and until the commissioner or ~~such~~ other
15 chief law enforcement officer approves the proposed program.
16 The commissioner or ~~such~~ other chief law enforcement officer
17 shall approve ~~such~~ a the proposed program if he *or she* reasonably
18 determines that the program will provide sufficient training for
19 persons assigned to perform the duty described in this subdivision.

20 (f) Regulating traffic at the site of road or street construction or
21 maintenance by persons authorized for ~~such~~ the duty by the local
22 authority.

23 (g) Licensing and regulating the operation of tow truck service
24 or tow truck drivers whose principal place of business or
25 employment is within the jurisdiction of the local authority,
26 excepting the operation and ~~operators~~ operator of ~~any~~ an auto
27 ~~dismantlers'~~ dismantler's tow vehicle licensed under Section
28 11505 or ~~any~~ a tow truck operated by a repossessing agency
29 licensed under Chapter 11 (commencing with Section 7500) of
30 Division 3 of the Business and Professions Code and its registered
31 employees. Nothing in this subdivision shall limit the authority of
32 a city or city and county pursuant to Section 12111.

33 (h) Operation of bicycles, and, as specified in Section 21114.5,
34 electric carts by physically disabled persons, or persons 50 years
35 of age or older, on the public sidewalks.

36 (i) Providing for the appointment of nonstudent school
37 crossing guards for the protection of persons who are crossing a
38 street or highway in the vicinity of a school or while returning
39 thereafter to a place of safety.



1 (j) Regulating the methods of deposit of garbage and refuse in
2 streets and highways for collection by the local authority or by ~~any~~
3 a person authorized by the local authority.

4 (k) Regulating cruising. The ordinance or resolution adopted
5 pursuant to this subdivision shall regulate cruising, which shall be
6 defined as the repetitive driving of a motor vehicle past a traffic
7 control point in traffic ~~which~~ *that* is congested at or near the traffic
8 control point, as determined by the ranking peace officer on duty
9 within the affected area, within a specified time period and after
10 the vehicle operator has been given an adequate written notice that
11 further driving past the control point will be a violation of the
12 ordinance or resolution. ~~No~~ A person is *not* in violation of an
13 ordinance or resolution adopted pursuant to this subdivision unless
14 (1) that person has been given the written notice on a previous
15 driving trip past the control point and then again passes the control
16 point in that same time interval and (2) the beginning and end of
17 the portion of the street subject to cruising controls are clearly
18 identified by signs that briefly and clearly state the appropriate
19 provisions of this subdivision and the local ordinance or resolution
20 on cruising.

21 (l) Regulating or authorizing the removal by peace officers of
22 vehicles unlawfully parked in a fire lane, as described in Section
23 22500.1, on private property. ~~Any~~ A removal pursuant to this
24 subdivision shall be consistent to the extent possible with the
25 procedures for removal and storage set forth in Chapter 10
26 (commencing with Section 22650).

